

12
5/23/01
JK

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID KEBE,

Petitioner

v.

IMMIGRATION AND
NATURALIZATION SERVICE,
Respondent:
:
:
:
:
:
:

CIVIL ACTION NO. 1:CV-00-1883

(Judge Kane)

FILED
HARRISBURG, PA

MAY 23 2001

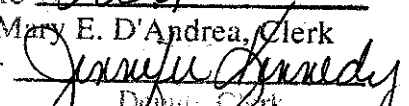
MARY E. D'ANDREA, CLERK
Per  Deputy ClerkMEMORANDUM

Before the Court are Petitioner's Petition for Writ of Habeas Corpus, the Magistrate Judge's Report and Recommendation, Petitioner's Objections to the Report and Recommendation. In addition, the Court has for consideration the Respondent's response to the Petitioner's petition, filed pursuant to the April 5, 2001 Order of this Court and Petitioner's response thereto. Upon independent de novo review of the entire record and the applicable law, the Court accepts and hereby adopts the findings and recommendation of the Magistrate Judge and overrules Petitioner's objections thereto. This Court finds that Petitioner is receiving the periodic reviews required when the INS detains aliens pending deportation for prolonged periods of time. See Ngo v. INS, 192 F.3d 390, 392, 394-98 (3d Cir. 1999). Petitioner's continued detention was last reviewed on February 28, 2001. His continued detention was found to be appropriate not only because of his prior convictions, but also because the INS has been unable to verify any information supplied by the Petitioner regarding Petitioner's identity or nationality, and the INS finds this information and the Petitioner's other assertions in conjunction with his review to be not credible.

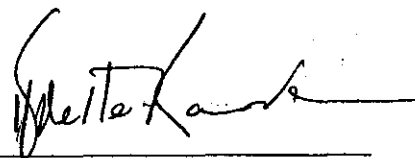
Certified from the record

Date 5-23-01

Mary E. D'Andrea, Clerk

Per  Deputy Clerk

AND NOW, for the reasons more fully stated in Magistrate Judge Blewitt's Report and Recommendation filed November 7, 2000, **IT IS ORDERED THAT** Petitioner's Writ of Habeas Corpus is **DENIED**. The Clerk shall close the file.

A handwritten signature in black ink, appearing to read "Yvette Kane", written over a horizontal line.

Yvette Kane
United States District Judge

Dated: May 23, 2001.

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

May 23, 2001

Re: 1:00-cv-01883 Kebe v. Immigration and Natu

True and correct copies of the attached were mailed by the clerk to the following:

David Kebe
CTY-SNY
Snyder County Jail
9900080
600 Old Colony Rd.
Selinsgrove, PA 17870-8610

Dulce Donovan, Esq.
U.S. Attorney's Office
228 Walnut Street
P.O. Box 11754
Harrisburg, PA 17108

cc:

Judge	(<input checked="" type="checkbox"/>)	() Pro Se Law Clerk
Magistrate Judge	(<input checked="" type="checkbox"/>)	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	(<input checked="" type="checkbox"/>)	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by:
	()	U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()	
Order to Show Cause	()	with Petition attached & mailed certified mail
	()	to: US Atty Gen () PA Atty Gen ()
	()	DA of County () Respondents ()
Bankruptcy Court	()	
Other _____	()	

MARY E. D'ANDREA, Clerk

5-23-01

